

MAYOR'S CHARGE.

Says the Pennsylvania R. R. Threatened Him.

VETOES FRANCHISE BILL.

Railroad's Men, He Declares, Told Him They'd Hold Legislature.

Wouldn't Be "Permitted" to Adjourn. He Says, Until Bill Is Repealed If He Vetoes It—Time Has Come, He Thinks, to Show the Corporation That It Cannot Control New York as It Controls Pennsylvania and New Jersey—Public Duty to Resist Such "Insolence"—Disclaims Any Desire to Stir Up Feeling Against the Corporations.

Mayor McCallan vetoed yesterday the bill depriving the Aldermen of all power over granting franchises. In an accompanying memorandum the Mayor, after reviewing the legal reasons against the bill, uses plain language about the influence of the Pennsylvania Railroad over legislation and says that its representatives told him that the Legislature would not be "permitted" to adjourn until the bills were passed over his veto.

This part of the memorandum reads: "Having stated these substantial reasons inherent in the propositions presented, I now offer a more important one, although it arises from an incident in the history of this legislation.

"The chief cause alleged for the action of the Legislature is the tardiness of the Board of Aldermen to act on the application of the New York Connecting Railway Company for a franchise to operate a road through portions of the city. The New York Connecting Railway Company is said to be controlled by the Pennsylvania Railroad Company, and this corporation is the promoter of the agitation to deprive the Board of Aldermen of this power over the granting of franchises.

"I have nothing to do with the merits of the dispute between them, and my attitude would, under the circumstances, be unchanged, no matter on whose side the merits were.

"The Pennsylvania Railroad Company but a few years ago acquired a foothold in this city, but it seems determined to exercise its power over public officials here, as it has elsewhere. It has already made plain to me its ability to crush all opposition to its plans.

"Its representatives have come to me in the Mayor's office to advise me that if I did not accept these measures they would nevertheless be passed over my veto. I was urged, should I decide to reject the bills, to do so promptly, so as not to needlessly prolong the session of the Legislature, which would not be permitted to adjourn until the bills were repassed.

"This corporation, which has so long dominated the States of Pennsylvania and New Jersey, should be taught that it cannot grasp the government of New York or take away or transfer power from public bodies who, whether for good or bad motives, fail to do its bidding. Resistance to these men, and to the ground is a public duty of the greatest importance.

"I have no desire to inflame any prejudice against corporations as such. They have their rightful purposes. But I believe that unless such manifestations of insolence are rebuked the evils they may engender will imperil the peace and security of our government."

In beginning his message, the Mayor says that the only argument advanced in favor of the bills was that the Aldermen had committed an abuse of power in failing to act with sufficient promptness on certain railway franchise applications. On this point the Mayor says:

"The proposed amendments are designed either on the theory that such an abuse of power could not be corrected by the Board of Estimate and Apportionment or as a punishment to the Board of Aldermen for its alleged remissness.

"The Board of Estimate and Apportionment if granted this power is capable of abusing it, and being composed of fewer men could do so probably with greater ease, so that the argument based on the abuse of power is clearly illogical, and there is no assurance that much will be gained by the change.

"If the amendments are proposed as a punishment of the Board of Aldermen, the same power may be held in reserve for the chastisement of the Board of Estimate if it fails to use its authority as may be thought proper, and so the influences which can induce and control legislation could continue to shift these functions from one set of officers or boards to another until one could be found compliant enough to suit.

"Assuming that the Board of Aldermen may be at fault, the remedy attempted is not the proper one, is inconsistent with our governmental theory and injurious to public interests.

"The people have the power to replace unfaithful public servants with faithful ones. To imply that this method of redress is inefficient is to doubt the efficiency for purposes of government of a system built upon universal suffrage.

"Furthermore, the argument drawn from an abuse of power could be urged with equal force against form of government and every public officer from the President down.

"I am no apologist for any Board of Aldermen, past or present, and what I say is based on the common sense of the situation.

"The Board of Aldermen under various names has been a continuous body in our city system from a time long before we had a State government. While I am quite clear that its fame has not always been creditable to itself or to the city, notwithstanding this fact on every revision of our Charter, the revisers, always men of exceptional standing and ability, have preserved the body with the important function of which this legislation seeks to deprive it. If it becomes advisable in

the interest of the city to abolish the board or curtail its powers, it should be done only after mature deliberation, by measures framed by the city's most capable and personally disinterested citizens with an eye single to public advantage and in the spirit of home rule.

"Disappointed private interests should find it unavailing to carry their resentment to the point of inflaming public prejudices and inducing the State Legislature to favor ill considered measures with no real public good in view.

"These considerations, however, are not the only serious ones which warrant my refusal to accept the bills. At the public hearing before me objections were raised involving the constitutionality of the measures. I am not disposed to assume a judicial attitude on this question. That is not necessary. It is sufficient to say that they raise a doubt which could not be settled perhaps for years, and then only after long litigation. Should it transpire in the end that their contention was right, the city's condition would be intolerable, and its progress, arrested in the interim, might be retarded for years. It is unwise, if there were no other reason for objection, to expose the city to this uncertainty and danger."

GOV. HIGGINS IN TOWN.

One Story Is That He Wants to Know What to Do About the Mayor's Charge.

Gov. Higgins came down yesterday from Albany and remained in the city for a little less than four hours. His hurried visit led to many rumors as to its purpose. One of the reports was that he had come to talk over the mortgage tax measure, while another was that he had heard of the intention of the Mayor to charge that the Pennsylvania Railroad was able to control the Legislature, and wanted advice on what to do about the franchise bill.

So far as could be learned the only public official the Governor saw was Collector of the Port Stranahan, and as the Governor never fails to see him when he is in town there was not much significance in that. At the Albemarle Hotel, where the Governor makes his headquarters, it was said that he had run down from Albany solely for private business.

FAVOR SEGREGATION OF VICES.

Philadelphia Grand Jury So Reports—Ministers Find Shocking Conditions.

PHILADELPHIA, April 28.—By an odd coincidence the committee of seven appointed at a meeting of clergymen to investigate conditions in this city gave out its report for publication to-day at the precise hour chosen by the April Grand Jury for the filing of a final presentment to the Criminal Court in which the segregation of vices and houses of ill repute are recommended.

The report of the ministers' committee says that conditions in the Tenderloin have been investigated and found to be absolutely intolerable. The committee included Bishop Mackay-Smith, Father D. I. McDermott, pastor of St. Mary's Catholic Church, and the Rev. Floyd W. Tomkins, the rector of fashionable Holy Trinity. They say that they personally investigated conditions.

One part of the report declares that there has been obtained positive evidence that a "white slave" syndicate, which barters young girls for reasonable prices, is flourishing in the city. It is declared that a check system is used and that the whole thing goes on with the direct connivance of the police department.

Mayor Weaver is asked to demand an explanation from Director of Public Safety David J. Smyth. The demand is made that the law be enforced and all the houses closed up. This is what the April Grand Jury recommended when it ended its term to-day.

"We recommend that houses of ill repute be licensed within prescribed limits and under the supervision of the Board of Health. We are of the opinion that these places are a necessary evil and that the only way to deal with them is to confine them in one district and to make them as tolerable as possible."

TINY GIRL DIED FOR BROTHER.

Run Over by Funeral Coach as She Pushed Him Out of the Way.

Tiny Parsannan, 4 years old, started out yesterday to find her two-year-old brother Tony, who had wandered away from their parents' flat, on the top floor of 300 East Thirty-third street. She located him on the north side of Thirty-fourth street at Third avenue, watching a funeral going toward the Long Island ferry.

The little girl couldn't wait for the long line of carriages to pass. She grabbed her little brother's hand as she saw an opening in the line and tried to push him out. The two children opposite curb when one of the carriages, frightened by the rattle of an elevated shuttle train overhead, broke from the line and started toward them, plunging frantically.

Tony at the same moment jerked away from his sister's grasp to pick up a big orange that rolled from a corner fruit stand, and stopped at his feet. The girl tried to pull him to the curb. Her strength failing her, she ran behind him and tried to pull him out of the way. The same instant one of the horses struck her down and the next moment the wheels of the heavily laden coach rolled across her chest. Kane, who was standing at the corner when the team took fright, ran to stop it. Winters grabbed the horse by the bridle, while Capt. Shire picked up the unconscious girl and carried her to the corner drug store.

When Dr. Drury arrived from Bellevue Tony was breathing, but faintly. He ran his hand over the crushed little body, then shook his head.

"We'll take her home if you know where it is," he told Capt. Shire. "She won't live to reach the hospital."

Capt. Shire learned the child's address from the corner fruit seller and volunteered to carry her in his arms.

"Perhaps it won't be so hard for the mother if I carry her home," he said, "I'll have the horse killed and the driver of the runaway team, was arrested and held in \$1,000 bail in Yorkville court. The occupants of the coach climbed into other carriages and went on.

CRUSHED TO DEATH BY BIG PIPE.

Boy Started It Rolling and Then Fell in Front of It.

James Burns, the fourteen-year-old son of Policeman Michael Burns of the Oakland avenue station in Jersey City, was crushed to death last night by a large iron water pipe in Bright street, that city. He ran along the top of several lengths of pipe lying in the gutter, and one of them weighing over a ton rolled, throwing him flat on the ground. The pipe passed over him, causing instant death. He lived at 243 Varick street.

OLD POINT COMFORT, RICHMOND AND

last day tour, May 6, via Pennsylvania Railroad. Last of the season. Rate, covering necessary stop, \$1.00. Consult ticket agents.

REPORT CUTS GAS TO 75 CENTS

STEVEN'S COMMITTEE ALSO LOWERS PRICE OF ELECTRICITY.

Establishment of a State Lighting Commission of Three Recommended With Power to Fix the Standard of Quality—The Bills Won't Go In Until Monday.

ALBANY, April 28.—The Stevens New York city lighting investigating committee to-night held a four hours session lasting until midnight and formally adopted its report, which will be submitted to the Legislature to-morrow. The report recommends the reduction in the price of gas from 80 to 75 cents per thousand feet, a reduction in the price of electric light from 15 cents to 10 cents a kilowatt and the establishment of a State Lighting Commission, to have the same control and supervision of gas and electric lighting corporations in the State as the State Railroad Commission has of railroad corporations.

The committee's report will recommend legislation permitting New York city to establish a municipal electric lighting plant using only the power which can be generated from the water which is impounded in Ulster county and to an extent sufficient only for the purposes of increasing New York city's water supply to an adequate supply.

This the committee believes will be more than sufficient to afford electrical energy to supply the lighting facilities required by the city only. This precludes New York city from taking water from Ulster county to an extent that will enable the city to supply electric light to private consumers.

The Public Service Commission is to comprise three members, to be appointed by the Governor, and its powers and authority will be similar to that exercised by the Massachusetts Lighting Commission. Besides the above recommendations the committee's report makes others giving the proposed new State Public Service Commission authority to fix a standard of light to be furnished and to make rules regulating the pressure of air through gas pipes.

The committee in its report points out that it is just as important that the gas companies should be supervised by a central State authority regarding the quality and quantity of gas that is pushed through a pipe as it is to fix a low price.

The minority members read the report for the first time to-night, which was responsible for the lengthy meeting of the committee. They left the committee meeting without signing the report, and it is expected that they will submit a minority report. Although it is said that the report was submitted to the Legislature to-morrow, it was said that the bills carrying out the recommendations of the committee will not be introduced until Monday night, as they are still in the course of preparation.

Assemblyman Merritt insisted upon one thing in regard to the State Public Service Commission, and that was that the expenses of the Commission should be paid out of the State Treasury, and not assessed pro rata upon the lighting corporations, as are the expenses of the railroad commission and the banking and insurance departments, which are paid by the corporations which they supervise respectively.

The committee makes a strong recommendation concerning the inspection of gas and electric meters and deposes the duty of performing this inspection upon Commissioner Oakley of the New York city Department of Water Supply, Gas and Electricity.

The delay in introducing the bills carrying out the recommendations of the committee is the result of an attempt to draft general measures which will not necessitate them being sent to Mayor McCallan for his approval, as would have to be done with purely city legislation. It is believed that some of the bills to carry out the recommendations of the committee cannot be framed except in a manner which will necessitate them being sent to Mayor McCallan as city bills.

Senator Stevens and his colleagues were too zealous for their own welfare in sitting up all night at the Fifth Avenue Hotel in New York last night in order to get out the report. Senator Stevens is believed to have been to be landed in to the Legislature to-day. For that reason he had himself, his Republican colleagues and his counsel work until 4 o'clock this morning on the report. Then they hustled for the Empire State Express, hoping to get here before the Legislature adjourned.

But they were frustrated at every point. The Odell triumvirate of legislative leaders wanted to see that report before adjournment and in and they did not propose to let the Legislature see it until they had cast their eagle eyes over the secrets contained in the voluminous looking document that Senator Stevens had so much care in preparing.

The Odell triumvirate, Speaker Nixon and Senators Raines and Malby, had yesterday the meeting of the Board of the Legislature to-day would be a regular working day of both houses instead of the usual short session that characterizes the Legislature here. But something changed that program, for to-day was a most important one in legislative matters. Speaker Nixon pushed through the House a bill to keep one eye on Majority Leader Rogers and the other on the clock at the time.

The Empire State Express is due in Albany at 11:13 o'clock. At 10:44 o'clock the Assembly adjourned until to-morrow morning at 10 o'clock.

As soon as the Stevens committee reached here it went to the Hotel Ten Eyck, and then Senator Stevens called on Senator Raines on the telephone and told him the report was ready to be presented. He had telegraphed Senator Raines to this effect before he left New York. Before the committee could go the two blocks from the hotel to the Capitol the Senate had adjourned.

The minority members of the committee Senator Grady and Assemblyman Palmer, had not as yet read the report. Senator Stevens announced that the committee would meet in the Senate Finance Committee rooms at 3 o'clock this afternoon to correct the Democratic conference report.

At that hour the Odell triumvirate entered the Senate Finance Committee room and considered the report. Senator Stevens called a meeting of the committee at his room in the Hotel Ten Eyck at 4 o'clock to-night. It was 8:45 o'clock when the committee, accompanied by Attorney Hughes, were whisked up in an elevator to the Senator's room. Senator Grady and Assemblyman Palmer were in the party and they for the first time had an opportunity to see what was in the report. While the committee was in session Speaker Nixon and Senator Malby went to the hotel and conferred with Senator Stevens concerning the report.

INTERMYERS AUTO HELD UP.

Too Speedy, Said the Cop—Friend's Warning to Lawyer Came True.

Samuel Untermyer, the lawyer, left his office at 30 Broad street at 5:30 o'clock yesterday afternoon and for his home in Yonkers in his automobile. As he started away a friend yelled after him: "Look out, now and don't get arrested for speeding."

"No fear," cried back the lawyer, "I always go slow."

Henry Seenson, the lawyer's driver, ran the machine and he went north on Broadway. At Seventy-eighth street he turned west and two blocks further on Bicycle policeman Kupfman of the West Sixty-eighth street station saw that the Untermyer automobile was fracturing the speed law. Kupfman chased it, and at Seventy-eighth street overhauled the machine.

When he stopped it Mr. Untermyer seemed surprised, and then, when he thought of the warning of his friend when he started off, he had to grin. The driver ran the car to the West Sixty-eighth street station, escorted by the bike cop. Mr. Untermyer wanted to give bail for Seenson and asked the desk sergeant how much was required. The sergeant said \$100 was sufficient.

"Then I guess my house at 675 Fifth avenue will cover it?" said Mr. Untermyer.

He gave the house as surety without putting a price on it. Then he started away to resume his interrupted trip to Yonkers.

DUKE AND DRIVER TOO SLEET.

Tobacco Man Held Up on Trial Trip of New Imported Auto.

Romar Grasser of 30 West Sixty-sixth street, who drives a new American Tobacco Company car, yesterday, charged with running his machine at twenty-two miles an hour. The automobile was a brand new 40 horsepower car that Mr. Duke had just paid out on and he was taking his initial spin in it at the time of the arrest. Bicycle policeman Kupfman of the West Sixty-eighth street station, who made the arrest, said that he followed the machine from Riverside Drive and Seventy-second street to Broadway and Sixty-eighth street.

The arrest was made within a couple of blocks of Mr. Duke's residence at 11 West Sixty-eighth street. He asked the policeman to allow him to be taken home as he was lame. Kupfman went along and Mr. Duke sent his valet with \$100 cash to the police station, to bail Duke out after a conference with Dr. Fronczak. His plans beyond that will depend on his condition, but he may rest a year or so and devote his time to composition. This was his sixth American tour.

Daniel Frohman received a telegram from Mrs. Paderewski last night saying that her husband had broken down completely and was in bad shape and would require a long rest before he could appear in public again. It would be absolutely impossible for her husband to appear here next Tuesday at the benefit to his countrywoman, Mme. Modjeska.

Mr. Paderewski must be very sick if he has given up all hope of appearing at the Modjeska benefit, for he was one of the prime movers in getting it up. Daniel Frohman is to manage it, and Paderewski was to be the star of the occasion.

As soon as he received the telegram from Mrs. Paderewski, Manager Frohman was scurrying to try and fill the gap left vacant. Late last night Dr. Pachmann, the pianist, agreed to play and Mr. Frohman hopes to get at least two other eminent pianists.

Paderewski was to have been the best man at the wedding of his pupil, Ernest Schelling, to Miss Lucy Draper of 604 Fifth avenue. This marriage is to take place on May 3. Miss Draper said last night that she didn't think Paderewski was as ill as the early reports said. She based her views on a telegram that had been received at her home last night. Miss Draper said that Mr. Schelling was in town and that even if Paderewski could not appear at her wedding that wouldn't postpone it.

BROUGHT HORSE TO ITS KNEES.

Policeman Taylor Stops a Runaway in a Busy Brooklyn Street.

Alexander M. Taylor of the mounted traffic squad, on duty at the Borough Hall, Brooklyn, yesterday afternoon saw a runaway horse dash down Remsen street and turn into Court street, heading toward the cab stand alongside the park. He was on foot, his horse being sick, and he sprang at the runaway, getting a firm hold on the bridle. The horse, which was attached to a heavy delivery wagon owned by the Atlantic and Pacific Tea Company, continued on, dragging the officer and finally dashing headlong into a banister, finally the cab and horse attached and badly damaging both.

The frightened animal, excited by the shouts of men and the struggles of the officer, who still clung to the bridle, did not stop, but turned and attempted to continue his run down Court street toward the crowded crossings at Montague street. Taylor had recovered from the blow that the cab and thrust his left fist against the windpipe of the running horse with such force as to bring him to his knees.

The plucky action of the officer was witnessed and cheered by a large crowd, several of whom hurried to his assistance when the horse fell and helped him to hold the animal when he struggled to his feet. Taylor was badly bruised about the body and legs, and his uniform was almost torn from him. He was sent to his home and will be visited by Sergeant McCarthy, who is in charge of the traffic squad in Brooklyn.

TWICE HIT BY HIS OWN GUN.

Austrian Merchant Arrested for Carrying Revolver in His Pocket.

Matthew Bussanich, 46 years old, a leather merchant from Vienna, Austria, stopping at the Hotel Lafayette-Brevort, Fifth avenue and Eighth street, was arrested by Policeman Brown of the Oak street station last night on a charge of carrying a concealed weapon.

Bussanich was running through Frankfort street when a loaded 38 caliber revolver fell from his pocket. As the gun struck the pavement a cartridge in one of the chambers exploded. The bullet struck Bussanich on the left wrist, inflicting a painful wound.

Policeman Brown summoned a surgeon from the Hudson street hospital, who extracted the bullet. Bussanich was then taken to the Oak street station, where he was held by Sergeant McCarthy, a letter merchant, of 97 Gold street, was his friend, and would bail him out. He said he didn't know he was violating a law in carrying a revolver here.

MINNENHEIMER BAILLED HIM.

Indes upon having Burnett's Vanities—46.

PADEREWSKI SERIOUSLY ILL.

STRICKEN WITH NEURITIS AND ENGAGEMENTS CANCELED.

His Neck and Arms Affected and He Must Stop Playing—Physician Won't Say How Long—Settled With Sudden Pains at Concert in Canada—Sails May 10.

BUFFALO, April 28.—Ignace Paderewski, the pianist, was stricken with neuritis while playing at London, Ont., Thursday evening, and all engagements for the rest of his tour have been canceled. His neck and arms are affected, but his physician would not state how serious his condition is or how long his playing would be interrupted. He is now on his way to Boston.

The pianist was playing a difficult piece when he was seized with terrific pains in his neck, and for a moment the intense pain sickened him. He finished the performance, however, and went to his private car. When he reached Hamilton, Ont., this morning, on his way to Niagara Falls, where he was scheduled to play to-night, his condition was so serious that his friends telegraphed for Dr. Francis E. Fronczak, a Polish physician of Buffalo, who had attended him before, to meet the train at the Falls.

Dr. Fronczak, after a brief examination, announced positively that all engagements must be canceled. There were ten on the schedule. The car was hooked on immediately to a through train for Boston. It passed through Buffalo bound for the East this afternoon. Dr. Fronczak went along.

Dr. Fronczak said that Paderewski was suffering from neuritis, affecting his head and neck. When he reached Niagara Falls this morning his arms were stiff.

The concert at London was the seventy-sixth of the artist's present tour. Next Sunday night he was to have played with the Boston Symphony Orchestra in Boston at its benefit and next Tuesday he was to have appeared at the benefit to Modjeska in New York at the Metropolitan Opera House.

Paderewski himself had arranged the Modjeska benefit and was on the program for about a dozen numbers. His inability to play at the benefit of his countrywoman was a severe blow. He lamented it bitterly when he heard the doctor's dictum.

Paderewski will sail for home on May 10, his managers decided to-day after a conference with Dr. Fronczak. His plans beyond that will depend on his condition, but he may rest a year or so and devote his time to composition. This was his sixth American tour.

Daniel Frohman received a telegram from Mrs. Paderewski last night saying that her husband had broken down completely and was in bad shape and would require a long rest before he could appear in public again. It would be absolutely impossible for her husband to appear here next Tuesday at the benefit to his countrywoman, Mme. Modjeska.

Mr. Paderewski must be very sick if he has given up all hope of appearing at the Modjeska benefit, for he was one of the prime movers in getting it up. Daniel Frohman is to manage it, and Paderewski was to be the star of the occasion.

As soon as he received the telegram from Mrs. Paderewski, Manager Frohman was scurrying to try and fill the gap left vacant. Late last night Dr. Pachmann, the pianist, agreed to play and Mr. Frohman hopes to get at least two other eminent pianists.

Paderewski was to have been the best man at the wedding of his pupil, Ernest Schelling, to Miss Lucy Draper of 604 Fifth avenue. This marriage is to take place on May 3. Miss Draper said last night that she didn't think Paderewski was as ill as the early reports said. She based her views on a telegram that had been received at her home last night. Miss Draper said that Mr. Schelling was in town and that even if Paderewski could not appear at her wedding that wouldn't postpone it.

BROUGHT HORSE TO ITS KNEES.

Policeman Taylor Stops a Runaway in a Busy Brooklyn Street.

Alexander M. Taylor of the mounted traffic squad, on duty at the Borough Hall, Brooklyn, yesterday afternoon saw a runaway horse dash down Remsen street and turn into Court street, heading toward the cab stand alongside the park. He was on foot, his horse being sick, and he sprang at the runaway, getting a firm hold on the bridle. The horse, which was attached to a heavy delivery wagon owned by the Atlantic and Pacific Tea Company, continued on, dragging the officer and finally dashing headlong into a banister, finally the cab and horse attached and badly damaging both.

The frightened animal, excited by the shouts of men and the struggles of the officer, who still clung to the bridle, did not stop, but turned and attempted to continue his run down Court street toward the crowded crossings at Montague street. Taylor had recovered from the blow that the cab and thrust his left fist against the windpipe of the running horse with such force as to bring him to his knees.

The plucky action of the officer was witnessed and cheered by a large crowd, several of whom hurried to his assistance when the horse fell and helped him to hold the animal when he struggled to his feet. Taylor was badly bruised about the body and legs, and his uniform was almost torn from him. He was sent to his home and will be visited by Sergeant McCarthy, who is in charge of the traffic squad in Brooklyn.

TWICE HIT BY HIS OWN GUN.

Austrian Merchant Arrested for Carrying Revolver in His Pocket.

Matthew Bussanich, 46 years old, a leather merchant from Vienna, Austria, stopping at the Hotel Lafayette-Brevort, Fifth avenue and Eighth street, was arrested by Policeman Brown of the Oak street station last night on a charge of carrying a concealed weapon.

Bussanich was running through Frankfort street when a loaded 38 caliber revolver fell from his pocket. As the gun struck the pavement a cartridge in one of the chambers exploded. The bullet struck Bussanich on the left wrist, inflicting a painful wound.

Policeman Brown summoned a surgeon from the Hudson street hospital, who extracted the bullet. Bussanich was then taken to the Oak street station, where he was held by Sergeant McCarthy, a letter merchant, of 97 Gold street, was his friend, and would bail him out. He said he didn't know he was violating a law in carrying a revolver here.

MINNENHEIMER BAILLED HIM.

Indes upon having Burnett's Vanities—46.

THE PRESIDENT TAKES A REST.

Will Do No More Hunting Until Monday, but Denies That He Is Ill.

GLENWOOD SPRINGS, Col., April 28.—President Roosevelt did not participate in the hunt to-day, according to a telephone message received from a rancher living close to Camp Roosevelt. It is further stated that he intends to rest until Monday. The President communicated with Secretary Lobb this afternoon and gave a quietus to the reports that he is ill in health. His message came over the telephone, the President dictating it to Courier Chapman, who rode from the camp to a nearby ranch. The President's message in part was as follows:

"We got four bears yesterday. All are well."

The rest of the President's message related to public matters and was to-night communicated to Secretary of War Taft.

FIGHTING IN CRETE.

Three Insurgents and One Gendarme Killed—The Rebels Are Arming.

CANEA, Crete, April 28.—In the fight at Vorkles between a number of insurgents and fifty gendarmes three of the insurgents were killed and six wounded. One gendarme was killed and three wounded. The populace burned the police station. Fourteen gendarmes are missing. The peasants are arming.

SUNDAY BALL TEST CASE.

Catcher Ritter and Pitcher Eason of the Brooklyn Club to Be Tried.

By the arrest of Louis Ritter, catcher, and Wallace W. Eason, pitcher of the Brooklyn Baseball Club, for alleged violation of the Sunday law by participating in the game at Washington Park last Sunday, the whole question involved will be again submitted to judicial review.

Ritter and Eason were arraigned yesterday before Magistrate O'Reilly in the Adams street court, but at the request of former Police Commissioner Bernard J. York, counsel for the club, the examination went over to May 6. The testimony for the prosecution has been obtained by the Kings County Sabbath Observance Association.

INTERBOROUGH RAISES WAGES.

All Gatemen and Guards to Get an Increase in Pay on May 1.

The Interborough Rapid Transit Company notified the gatemen and guards on the elevated railroads and the subway yesterday of an increase of wages beginning May 1. It had been the intention of the company before the strike to raise the wages, but the men did not know that it would be carried out.

All first year gatemen are to be increased from \$1.40 to \$1.50 per day, all first class guards on the rolls on May 1, 1905, will be advanced to second year rate, \$1.70 per day. Men employed as or promoted to guard after May 1, 1905, will receive \$1.55 per day, the regular first year guard's rate.

General Manager Hedley, who notified the men of the increase in wages, said to a Star reporter last evening:

"When the men were being taken on an attempt was made apparently to create the impression that we were going to cut wages. We intend to have our men the highest paid in the country for the work they are doing. The year's seniority will prevail equally among all who have been employed and would be entitled to it by May 1, whether strikers or not."

FORGERY NO CRIME IN INDIANA.

Omission of a Definition in New Criminal Code Leaves No Law in Force.

INDIANAPOLIS, April 28.—The discovery was made to-day that forgery has ceased to be a crime in Indiana, owing to the omission of its definition in the new criminal code, which was adopted by the recent Legislature and went into effect a few days ago. The most careful searching of the printed act fails to disclose any definition of the crime of forgery or any penalties fixed for its commission, and it is the opinion of many lawyers that, inasmuch as the Criminal Code contains a section which "calls laws within the purview of this are hereby repealed," there is no law in force by which such a crime can be punished.

The omission was discovered by the class in the law college. The omission will affect persons now under indictment for the crime, as there is no law under which they can be tried, the old law having been repealed.

WOMAN FOOLS TRAIN WRECKERS.

Discovers Plan to Place Dynamite on Tracks and Is Badly Beaten.

UNIONTOWN, Pa., April 28.—A deliberate attempt to dynamite at Le Mont on Wednesday night the Pennsylvania Railroad passenger train due here at 7:47 P. M. was frustrated by a woman and is being investigated by officers of the company. Mrs. Sadie Lewis of Le Mont has reported to the officers that she heard two men say that they had a grievance against the Pennsylvania Railroad and that they planned to place dynamite on the tracks. The men started toward the railroad, and Mrs. Lewis, hoping to thwart their plans, followed them. Seeing that they were discovered, the men beat her unmercifully, threw her across the track and ran.